



# DAILY COURIER

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First column on first page for particular as above.

STATE ELECTION, AUGUST 1, 1859.

## DEMOCRATIC NOMINATIONS

FOR GOVERNOR,  
**MON. BERIAH MAGOFFIN**, of Mercer.

LIFUT. GOVERNOR.  
**MON. LINN BOYD**, of McCracken.

AUDITOR,  
**GRANT GREENE**, of Henderson.

TREASURER,  
**JAMES H. GARRARD**, of Franklin.

SUPERINTENDENT PUBLIC INSTRUCTION,  
**ROBERT RICHARDSON**, of Kenton.

REGISTER LAND OFFICE,  
**THOMAS J. FAZER**, of Breathitt.

PRESIDENT BOARD INTERNAL IMPROVEMENTS,  
**JAMES P. BATES**, of Barren.

ATTORNEY GENERAL,  
**A. J. JAMES**, of Franklin.

FOR CONGRESS—SEVENTH DISTRICT,  
**COL. THOS. H. HOLT**, of Louisville.

**LOUISVILLE:**

SATURDAY..... JULY 2, 1859.

Reading Matter on Every Page.

The Journal on Magoffin.

The Louisville Journal of yesterday produced what the editor considered a formidable array of testimony to show that the Hon. Beriah Magoffin is not sound on the slavery question. The Lexington Observer & Reporter, the Frankfort Commonwealth, and the Georgetown Journal, were introduced as witnesses to help the Louisville Journal to prove that Magoffin is opposed to the protection, by Congress, of slavery in the Territories under any circumstances, and that he is a straight-out non-interventionist, under any and all circumstances; that he would, in a few words, rather go to war with sword, and musket, and cannon, and shell, for protection, than to ask such a thing of Congress.

It happens that the testimony produced by the editor of the Journal to make out his charge is of an unreliable character. The witnesses are all of that unfortunate class of individuals denounced by the Hon. Joshua F. Bell, in whose behalf they are introduced, as enemies to civil liberty, and subversives of the judiciary. They are Bell's witnesses, and can't be allowed to make out an affirmative case against Magoffin. And Bell himself has denounced them, as corruptors of the pure fountain of justice. Magoffin's friends will not be expected to place confidence in their statements.

On the subject of protection to slavery in the Territories, Magoffin has committed his views to writing, and the manuscript has been published in every paper in the State. We would, therefore, rather rely upon his own written statement, than the opinions of those who go to hear him speak, and listen to him with ears as wide open, for what he does not say, as were those of the fabled Fauns in search of things that never transpired. The following are Magoffin's own words upon this subject, and we, ourselves, have heard him say pretty much the same, both upon the stump and in private conversation:

"That Congress has the power to protect while it cannot prohibit slavery in the Territories; that the Territorial Legislature, as its agent, cannot exclude or abolish slavery, directly or indirectly, by unfriendly legislation; that such legislation is void, and that it is the duty of the Federal courts; that it is the duty of the Territorial Legislatures to protect slave property, and property of all kinds; that the rights of property of all kinds are to be protected by the government, the Constitution, and the laws; that the rights and remedies seem to be now complete in the Territories; that the Democratic party has broken the tie of safety against all the efforts of the Opposition, and forming combinations on the subject, and forming combinations to destroy it; that the struggles and vicissitudes of other parties have clearly shown that ours is the only party capable of protecting the rights, or guarding them in the future; and if it should be necessary to pass laws to enforce the decrees of the judiciary, or even to call out troops, that it would be the duty of the government to do so."

Here, then, Mr. Magoffin distinctly shows: 1st, that Congress has the power to protect slavery in the Territories; 2d, that it has no power to prohibit; 3d, that a Territorial Legislature has no power, directly or indirectly, to exclude or abolish it; 4th, that it should be necessary to pass laws to enforce the decrees of the judiciary, or even to call out troops, that it would be the duty of the government to do so.

If, then, the above is not a strong protection platform, we do not understand it. The only difficulty grows out of the last sentence, and we contend that a fair interpretation of that sets forth as much protection as any reasonable man could desire. For instance, the Supreme Court has decided that slaves are property in the Territories, and so recognized by the Constitution, and that the owner is entitled to the protection of his rights. This, then, is a decree of the Judiciary, and Mr. Magoffin says that he is for the passage of laws, whenever necessary, for carrying out this decree. If, therefore, the Territorial Legislature were to refuse protection to slave property, the necessity would arise, and then Mr. Magoffin's laws, to be passed by Government, would be demanded. Of course, these laws could only be passed by the Legislative Department of Government, and as the Territorial Legislature would then have refused to act, Congress would be the only legislative power to act in the case.

Bur, Mr. Magoffin is not only in favor of the passage of these protective laws by Congress when the necessity arises. He is in favor of calling out troops to enforce the decrees of the Judiciary.

On the contrary, the Hon. S. S. Nicholas, who was a member of the committee that drafted the resolution, and who speaks for Ex-Chief Justice Robertson, another member of the committee, says that he understood the resolution to mean that Congress should either establish or prohibit slavery in the organic acts establishing a Territorial Government.

Here are Judge Nicholas' own words:

"Judge Robertson and myself had not only vindicated the power of Congress to settle the question of slavery in the Territories, but I had some further, and more important, as well as more important, to interfere with the powers of the Federal Government, including the Legislative, Executive, and Judicial departments, to interfere with the institution of slavery, and we declare that we can have no affiliation whatever with disunionists or Abolitionists."

Now, the editor of the Journal says that this resolution means nothing but that Congress shall not interfere to establish or to prohibit slavery when a Territorial Government is organized. Here are his own words:

"The resolution in question, so far as applicable to slavery in the Territories, was intended to prevent the power of interfering to establish or prohibit slavery in the Territories."

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